

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10317-RCL
)	
ANDREW LEWIS)	

DEFENDANT'S MOTION FOR LEAVE TO FILE
MOTION FOR PRODUCTION OF DISCOVERY LATE

Defendant, Andrew Lewis, moves that this Court grant leave to file his Motion for Production of Discovery, originally scheduled to be filed by December 13, 2004, on December 22, 2004. As support for this Motion, the defendant through counsel states the following:

1. At the Interim Status Conference, the parties indicated to the court that the defendant would be filing a motion for production of computer evidence, and that the government would likely oppose. The court set a deadline of December 13, 2004 for the defendant file the motion, and a deadline of January 3, 2005 (three weeks later) for the government to respond.
2. The parties have been consulting concerning the parameters of the protective order at issue should the court allow the defendant's motion.
3. Both parties' schedules and other obligations, as well as the need to consult with their respective experts, precluded timely consultation concerning the potential protective order.
4. The government assents to this Motion for Leave to File Late. The government does, however, intend to oppose the Motion for Production and will file an opposition. Defendant assents to any additional time necessary for the government to file its opposition.

5. This matter is scheduled for an Interim Status Conference on January 11, 2005. The parties anticipate that each of them will be prepared to argue the Motion on that day, notwithstanding the late filing.

ANDREW LEWIS
By his attorney,

/s/ Timothy Watkins
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